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STATEMENT OF ARGUMENTS FOR PRE-APPEAL BRIEF
REQUEST FOR REVIEW

Claims 11-22 are pending in the application. Claims 11 and 21 are independent.

The Rejections under 35 U.S.C. § 102(b) and 35 U.S.C. § 103(a)

Claims 11, 14, and 18-20 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Favaro (EP 1332708). Claims 11, and 14-16 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Kawaguchi (U.S. Patent No. 5,243,453). Claims 12-13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Favaro in view of the admitted state of the art (ASA) OR Nonogaki (U.S. Patent No. 5,279,134). Claim 17 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Favaro in view of Detterbeck (UK 2186109) (GB 1286109). Claims 21-23 stand rejected under 35 U.S.C. § 103(a) as being anticipated by Favaro. Applicants respectfully traverse these rejections.

With respect to Favaro, the grounds of rejection state that Favaro discloses a display panel for a home appliance containing program control, including dishwashers. The device includes a lamp 5 which can be an LED (citing col. 3 lines 20 - 25). The grounds of rejection state that also disclosed is a light conducting means in the form of a fiber optic cable 7 readable on a light shaft. The lamp is oriented to focus the light and reflect it towards a transparent display surface 11. Located in between the lamp and the surface is an automatic color filter 12, capable of selecting various sections 15 by a motor 12. As such, the grounds of rejection and Response to Arguments maintain that the subject matter of claims 11, 14, 18-20 is anticipated by Favaro.

With respect to Kawaguchi, the grounds of rejection state that Kawaguchi discloses a control panel for washing machines, of which dishwashers are a subset, comprising automatic program control. The panel includes a liquid crystal display board 15, a light source 80, and a color filter 77 disposed there between. The grounds of rejection state that glass substrate 69 and polarizing plates 78 read on a transparent surface. The liquid crystal display includes a number of segments having transparency and electrodes that can have voltages applied across them (citing figure 14). Thus, the grounds of rejection state that this is conventional LCD functionality.

Applicants respectfully submit that the present invention includes features not disclosed or suggested by either Favaro or Kawaguchi. For example, the present invention includes “a light shaft arranged in the beam path of the light beam produced by the light means, the light shaft having a reflecting surface on a side thereof facing the light beam” as recited in rejected claim 18. The grounds of rejection and Response to Arguments in the Final Office Action as well as the Advisory Action state that the fiber optic cable 7 of Favaro is readable on the claimed light shaft. However, Applicants respectfully submit that the fiber optic cable would not be considered a semi-spherically constructed light shaft as in the present invention. As inherent in the rejection, Kawaguchi does not disclose or suggest a light shaft.

Further, neither reference teaches at least one color filter disk arranged *behind the display surface* relative to the beam path of the light beam produced by the light means as recited in claim 13. Rather, the grounds of rejection state that claims 12-13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Favaro in view of the admitted state of the art (ASA) or Nonogaki (U.S. Patent No. 5,279,134). The grounds of rejection state that Favaro teaches an automatically

exchangeable color filter disk, but does not disclose an additional non-exchangeable color filter. The grounds of rejection allege that inclusion of such a device is not considered to be patentable. The grounds of rejection notes that as stated in the admitted state of the art, the prior art required different light means for the reproduction of different colors. Thus, the grounds of rejection state that it is understood that the prior art used multiple lamps with non-exchangeable color filters to represent different colors, and that many elements read on color filter such as colored bulbs or sheets of colored plastic or glass, which are conventional in the art for providing colored light.

Also, the grounds of rejection state that Nonogaki discloses a display portion with a singular portion 7 that is individually colored, as opposed to exchangeable. Non-exchangeable filters as well as exchangeable color filters are considered to be conventional according to the grounds of rejection. Including an additional filter requires nothing more than routine skill and provides the predictable result of filtering color. Duplication of parts was held to have been obvious. Citing *St. Regis Paper Co. V. Beemis Co. Inc.* 193 USPQ 8, 11 (1977); *In re Harza* 124 USPQ 378 (CCPA 1960). As such, the grounds of rejection state that it would have been obvious at the time of invention to modify Favaro and include an additional color filter that is stationary, as is known in the prior art and provides expected results.

Applicants respectfully submit that neither Favaro or Nonogaki teach such a placement of at least one color filter disk *arranged behind the display surface* relative to the beam path of the light beam produced by the light means. Notwithstanding the remarks in the Response to Arguments, the Examiner is again kindly directed to item 6 in Figure 1 of the present application for a depiction of this location. In Favaro, the filter 12/15 is arranged between lamp 5 and a receiving end of fiber optic cable 7 (see paragraphs [0014] and [0018]). Nonogaki is used in the grounds of rejection

solely for its alleged teachings of display section 7, and does not teach such a filter as in the present invention (see col. 4, lines 8-12).

Claim 17 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Favaro in view of Detterbeck (UK 2186109) (GB 1286109). The grounds of rejection acknowledge that Favaro does not disclose a mask. However, the grounds of rejection state that Detterbeck discloses an exchangeable mask system for creating symbols on a control panel (citing the Abstract), and concludes that it would have been obvious at the time of invention to modify Favaro and include an exchangeable mask system, as taught by Detterbeck, with the predictable result of creating symbols on a control panel. Applicants respectfully submit that Detterbeck neither discloses or suggest at least one color filter disk arranged behind the display surface relative to the beam path of the light beam produced by the light means as in the present invention nor would its optical conductor be considered the light shaft of the present invention.

Claims 21-23 stand rejected under 35 U.S.C. § 103(a) as being anticipated by Favaro. Claim 23 has been canceled. Applicants respectfully submit that claim 21 is allowable at least based on similar features as argued above for independent claim 11. Claim 22 is allowable at least based on its dependency on claim 21.

CONCLUSION

In view of the above, reconsideration and allowance of claims 11-22 are respectfully requested. If there are any questions, the kindly contact the undersigned. If an extension of time for this paper is required, petition for extension is herewith made.